

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

ALEXANDER MASHINSKY and RONI
COHEN-PAVON,

Defendants.

Case No. 23 Cr. 347 (JGK)

ORAL ARGUMENT REQUESTED

**DEFENDANT ALEXANDER MASHINSKY'S MOTION TO DISMISS COUNTS TWO
AND SIX OF THE INDICTMENT AND MOTION TO STRIKE SURPLUSAGE**

Defendant Alexander Mashinsky, by and through undersigned counsel, respectfully moves, pursuant to Rules 7(c), 7(d), and 12(b)(3)(B) of the Federal Rules of Criminal Procedure and the United States Constitution, to: (i) dismiss Count Two of the Indictment; (ii) dismiss Count Six of the Indictment; and (iii) strike as surplusage all references to Celsius's bankruptcy. In support of his motions, Defendant Alexander Mashinsky respectfully submits the accompanying supporting Memorandum of Law.

REQUEST FOR ORAL ARGUMENT

Defendant respectfully requests oral argument on this motion.

Dated: January 12, 2024
New York, New York

Respectfully submitted,

/s/ Marc L. Mukasey
Marc L. Mukasey
Torrey K. Young
Michael F. Westfal

MUKASEY YOUNG LLP
570 Lexington Avenue, Suite 3500
New York, New York 10022
(212) 466-6400
marc.mukasey@mukaseylaw.com

Counsel for Alexander Mashinsky